

Notice of Allowability

Application No.

09/741,860

Examiner

Li B. Zhen

Applicant(s)

MOORE ET AL.

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/14/2007 and interview on 10/10/2007.
2. ☒ The allowed claim(s) is/are 1-4,6-11,14-20 and 23-25, renumbered as claims 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20071010.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

SUMMARY OF INTERVIEW

1. In a telephone interview with Mr. Phillip J. Articola on 10 October 2007, examiner noted that the claims are allowed over the art of record. Claims 1, 19, 24 and 25 recites an interface and software code. Thus, claims 1, 19, 24 and 25 are directed to non-statutory subject matter. In claims 2-11 and 14-18, the phrase "An interface" lacks antecedent basis. The phrase "A method" in claim 23 lacks antecedent basis and the acronym "XML" should be defined. Applicant authorized examiner to amend the claims to recite statutory subject matter, provide proper antecedent basis, and define the term XML.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Phillip J. Articola on 10 October 2007.

The application has been amended as follows:

- a. Claim 1, line 1, insert before "for interfacing" --stored on a computer-readable medium--;
- b. Claim 19, line 1, insert before "for interfacing" --stored on a computer-readable medium--;

Art Unit: 2194

- c. Claim 24, line 2, insert after "code" --stored on a computer-readable medium;
- d. Claim 25, line 1, insert before "for interfacing" --stored on a computer-readable medium--;
- e. Claim 2, line 1, replace "An interface" with --The interface--;
- f. Claim 3, line 1, replace "An interface" with --The interface--;
- g. Claim 4, line 1, replace "An interface" with --The interface--;
- h. Claim 6, line 1, replace "An interface" with --The interface--;
- i. Claim 7, line 1, replace "An interface" with --The interface--;
- j. Claim 8, line 1, replace "An interface" with --The interface--;
- k. Claim 9, line 1, replace "An interface" with --The interface--;
- l. Claim 10, line 1, replace "An interface" with --The interface--;
- m. Claim 11, line 1, replace "An interface" with --The interface--;
- n. Claim 14, line 1, replace "An interface" with --The interface--;
- o. Claim 15, line 1, replace "An interface" with --The interface--;
- p. Claim 16, line 1, replace "An interface" with --The interface--;
- q. Claim 17, line 1, replace "An interface" with --The interface--;
- r. Claim 18, line 1, replace "An interface" with --The interface--;
- s. Claim 23, line 1, replace "A method" with --The method--; and
- t. Claim 23, line 2, replace "XML" with --Extensible Markup Language (XML)--.

Art Unit: 2194

CONTACT INFORMATION


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Examiner
Art Unit 2194

LBZ

 10/10/2007